

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 23, 2002

DIVISION TWO

Court convened at 9:00 A.M.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Joyce Hatter, Deputy Clerk.

Each of the following:

B147151 Frontier Pacific v. Davis & McCoy
B148887 Chatlong v. Hawthorne Savings
B152041 Doyka v. Fifteen Southwest Realty
B147565 People v. Davis
B152071 People v. Campbell
B155069 People v. Jamie E.
B151586 People v. Springfield
B148252 People v. Simpson
B147693 People v. Gonzalez
B153910 People v. Wallick
B152858 People v. Ferro

Argument waived, cause submitted.

B148721 People
 v.
 Allen

Merits:

Argued by Stephanie Brennan, deputy attorney general, for respondent and by Margaret Dunk for appellant. Cause submitted.

DIVISION TWO (Continued)

B149868 Yepremian
 v.
 Kazaian

Merits:
Argued by Michael Goergen for respondent and by Linda Barney for
appellant. Cause submitted.

B151443 Vasquez
 v.
 Southern Pacific Transportation, et al.

Merits:
Argued by Joseph Pierry for appellants and by Joseph Mascovich for
respondents. Cause submitted.

B146032 Goel
 v.
 Schultz

Merits:
Argued by Jack Zakariaie for respondent and by Phillip Dapeer for
appellant. Cause submitted.

B150265 Marin
 v.
 Choo

Merits:
Argued by Julius Grush for appellant and by Kathryn Albarian for
respondent. Cause submitted.

DIVISION TWO (Continued)

B148858 County of Los Angeles
v.
Wilkinson et al.

Merits:

Argued by Adrienne Byers, deputy county counsel, for respondent and by Craig Lynch for appellants. Cause submitted.

B149885 Kasha, et al.
v.
Mountains Recreation & Conservation Authority

Merits:

Argued by Richard DeSantis for appellants and by Gordon Overton, deputy attorney general, for respondent. Cause submitted.

B142066 Navarrette
v.
Telemundo Group, Inc.

Merits:

Argued by John Simonson for appellant and by Robert Lieber for respondent. Submission deferred.

Court recessed.

Court reconvened at 1:00 P.M.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Joyce Hatter, Deputy Clerk.

B153209 Bufford
v.
Mose

Merits:

Argued by Arthur Bufford for appellant. No appearance by respondent. Cause submitted.

DIVISION TWO (Continued)

B144346 Rojas
 v.
 Diaz

Merits:
Argued by Cuauhtemoc Martin for appellant and by Craig Bell for respondent. Cause submitted.

B151472 Armedilla
 v.
 Southern California Permanente Medical Group, et al.

Merits:
Argued by Jerome Zamos for appellant and by Thomas Kaufman for respondents. Cause submitted.

B149207 Equality Emergency Medical
 v.
 Valley Presbyterian Hospital

Merits:
Argued by Wayne Smith for appellant and by William Meeske for respondent. Cause submitted.

B155896 Johnson, et al.
 v.
 Superior Court, Los Angeles County
 (California Cryobank, Inc., et al., r.p.i.)

Merits:
Argued by Margaret Maas for petitioners, by Judith Tishkoff for real party in interest (California Cryobank); by David Ozeran for real party in interest (Cappy Rothman) and by Vangi Johnson for real party in interest (Charles Sims). Cause submitted.

DIVISION TWO (Continued)

B144802 McGuire
v.
McGuire

Merits:
Argued by Valerie Colb for respondent and by Edward Horowitz for
appellant. Cause submitted.

Court adjourned.

B155680 Carey C. (Not for Publication)
v.
Superior Court, Los Angeles County
(DCFS, r.p.i.)

The petition for writ of mandate is denied and the order to show cause is discharged.

Doi Todd, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

DIVISION THREE

B147765 Lizza (Not for Publication)
v.
City of Avalon et al.
Sally De Board et al.

The judgment is affirmed. Costs on appeal to Avalon and to real party Sally De Board.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION THREE (Continued)

[illegible]

The judgment is affirmed. Costs on appeal to Tsuis and Douglass.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B149788 People (Not for Publication)
v.
Hernandez

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

[illegible]

The order of wardship is modified by striking the trial court's orders that appellant provide DNA sampling, and provide, pursuant to Penal Code section 296, to specimens of blood, a saliva sample, and right thumbprint and full palmprint impressions; as modified, the order of wardship is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B154445 People (Not for Publication)
v.
Danny H.

The order continuing wardship is affirmed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B155718 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Marisela G.

The appeal is dismissed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B151494 Stark (Not for Publication)
v.
BHS-Behavioral Health Services, Inc.

The judgment is reversed. The trial court is directed upon remand to vacate its order granting a summary judgment as to plaintiff's complaint, and to enter instead an order (1) denying defendant's motion as to plaintiff's negligence causes of action, and (2) granting a summary adjudication in favor of defendant as to plaintiff's cause of action for conversion. The trial court shall thereafter conduct such further proceedings as may be appropriate and consistent with the views expressed herein.

Each party is awarded its costs on appeal.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B149179 Laraway
v.
Pasadena Unified School District et al.

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

B142638 Colen (Not for Publication)
v.
Board of Supervisors of Los Angeles County
Los Angeles County Treasurer and Tax Collector

The order is affirmed

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FIVE

B148691 Leah Brown (Not for Publication)
v.
Simpson Family Mortuary

The judgment is reversed. Each party to bear their own costs.

Armstrong, J.

We concur: Grignon, Acting P.J.
Mosk, J.

DIVISION FIVE (Continued)

B151939 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Edward O.

The judgment is affirmed.

Armstrong, J.

We concur: Grignon, Acting P.J.
 Mosk, J.

B156539 Equis Corporation (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (Christina Development Corp., et al., r.p.i.)

A peremptory writ shall issue direction respondent court to vacate its order of January 29, 2002, granting defendants' motion for summary adjudication of issues, and enter a new and different order denying the motion. Costs of this proceeding are awarded to Equis.

Mosk, J.

We concur: Turner, P.J.
 Armstrong, J.

B151895 People (Not for Publication)
 v.
 Valenzuela

The judgment and sentence are affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

DIVISION SIX (Continued)

B103656 People (Not for Publication)
v.
Rose

The case is remanded for reconsideration of sentencing for the allegation of the prior conviction. (*People v. Superior Court (Romero)*, *supra*, 13 Cal 4th 497.) We express no opinion how the trial court should exercise its discretion to dismiss the prior. The trial court is directed to amend the abstract of judgment to reflect that the section 12022.7, subdivision (a) enhancement relating to count 2 has been stricken. In all other respects, the judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B152564 People (Not for Publication)
v.
Hernandez

The judgment and sentence are affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B153697 People (Not for Publication)
v.
McMillan

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SIX (Continued)

B135637 People (Not for Publication)
v.
Guyton

The judgment is modified to strike the one-year enhancement imposed on count 2 under section 12022, subdivision (b)(1), and to reflect that appellant has 397 days of presentence custody credit. The superior court is directed to amend the abstract of judgment accordingly and forward a copy to the Department of Corrections. As so modified, the judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Coffee, J.

B150059 People (Not for Publication)
v.
Orosco

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

B154187 People (Not for Publication)
v.
Seymour

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

DIVISION EIGHT

B149373 People (Not for Publication)
v.
Hollingsworth

The judgment is reversed only insofar as it imposed a one-year enhancement on the count 1 terrorist threat conviction. (Pen. Code, § 12022, subd. (b)(1).) In all other respects, the judgment is affirmed. The clerk of the superior court is directed to prepare an amended abstract of judgment that strikes the enhancement, then deliver copies of the amended abstract to the Department of Corrections.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

B146432 Thibert (Not for Publication)
v.
LAC Basketball Club, Inc.

The judgment is affirmed. Each side to bear its own costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.